

**REMARKS**

**This Amendment in Response applies to the Office Action mailed March 13, 2003, in which claims 1-29 were rejected. Claims 1, 13 and 14 are amended, and claims 1-29 are presented for reconsideration and allowance.**

**Interview Summary**

Applicants note that the Interview Summary (PTO-413) accompanying the Office Action (summarizing a March 7, 2003, telephonic interview between Examiner Daniel I. Walsh and David Quick) was not listed as an Attachment to the Office Action in the Office Action Summary. To ensure that the substance of the interview is properly made of record in the application file, Applicants hereby confirm election of the species defined by claims 1-29. Accordingly, claims 30-38 are withdrawn from the application as being drawn to a non-elected species

**Claim Objections**

Claim 13 was objected to because of an informality in line 2 of the claim. As requested by the Examiner, claim 13 has been amended to replace “pressing” with --the pressing--. Accordingly, withdrawal of the objection to claim 13 is respectfully requested.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-5, 9, 12-14, 18-21, 24, 25 and 28-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McHugh et al. (U.S. Patent No. 5,286,207). Regarding independent claim 1, McHugh et al. is said to teach a connector with a body having first and second spaced apart side arms formed integrally with the body and configured to receive the card therebetween. McHugh et al. is further said to teach a side arm having a longitudinally extending member through the housing 12 (as shown in Figure 1) that includes a tunnel-type member for accommodating actuator button 48. McHugh et al. is said to teach an actuator button 48/52/53/54 having a longitudinally extending member (Figure 1 and Figure 2) to contact the first member (tunnel portion of housing 12) to allow the button to move longitudinally relative to the body. McHugh et al. is said to teach an ejector mechanism coupled to the body and the

button, the ejector mechanism being configured to eject the card from the body upon longitudinal movement of the button relative to the body, via the action of sliding plate 72 and lever 62. The Examiner further states that sliding plate 72 and lever 62 are understood to comprise a mechanism to facilitate ejection, and hence are understood to form an “ejection mechanism”, or an arrangement of parts for ejection purposes. The Examiner finds that although McHugh et al. teaches a tunnel member for accommodating the actuator button, and not a dovetailed member, and although McHugh et al. teaches an actuator button that connects with the tunnel member, as opposed to an actuator button with a dovetail member to engage the first dovetail member, such modification would have been obvious to an artisan of ordinary skill of the art at the time the invention was made. The Examiner further finds that the claimed invention would perform equally well with the dovetail accepting and engaging members as with the tunnel and corresponding member of McHugh et al. Therefore, the Examiner states that it is an obvious matter of design variation, since the tunnel member taught by McHugh et al. is functionally equivalent to the dovetail members of the claimed invention, since in both the cases fasteners are not required to couple the body to the button and both could be used to accommodate sliding members. The Examiner furthermore finds the use of dovetails are well known and conventional in the art, whether for interlocking means or for sliding means. Therefore, the Examiner states that simply adapting the teaching of McHugh et al. and replacing its tunnel and engaging member with well known male/female dovetail members would have been known.

With regard to independent claim 14, McHugh et al. is further said to teach that the ejector includes a pivot configured to engage the body, so that movement of the button relative to the body causes the ejector mechanism to pivot about the pivot to eject the card (citing column 6, lines 47+ and claim 10 of McHugh et al.). The Examiner states that although McHugh et al. is silent as to a pivot cam, the pivoting means as taught by McHugh et al. are understood to meet the functional limitations of the pivot cam as taught by the current invention, as pivoting and cams are well known and conventional in the art. The Examiner states that lever 62 is interpreted to include a first flange (tip) 64 to engage the notch of the button for engagement (Figs. 5A-8), and a second flange on 72 that extends through the opening formed in the body adjacent the arm.

The Examiner has further detailed how dependent claims 2-5, 9, 12, 13, 18-21, 24, 25 and 28-29 are also made obvious by McHugh et al.

Independent claim 1 has been amended and claims a header connector apparatus configured to receive an electronic card. The apparatus comprises a body having first and second spaced apart side arms formed integrally with the body. The first and second side arms are configured to receive the card therebetween. The first side arm has a longitudinally extending first dovetail member. An actuator button has a longitudinally extending second dovetail member configured to mate with the first dovetail member to allow the button to move longitudinally relative to the body. A monolithic ejector mechanism is coupled to the body and the button. The monolithic ejector mechanism is configured to eject the card from the body upon longitudinal movement of the button relative to the body.

As described by the Examiner at page 3 of the Office Action, the ejection mechanism of McHugh et al. is comprised of an arrangement of parts, specifically sliding plate 72 and lever 62. Independent claim 1 has been amended to specify that the ejector mechanism of the present application is a monolithic ejector mechanism. Clearly, McHugh et al. does not show, teach, or suggest, either implicitly or explicitly, **a monolithic ejector mechanism coupled to the body and the button, the monolithic ejector mechanism being configured to eject the card from the body upon longitudinal movement of the button relative to the body**, as claimed in amended independent claim 1.

The above-noted deficiency of McHugh et al. is not overcome by combination with the other references of record. Each of the prior art references teaches the use of multiple parts to form an ejection mechanism for ejecting or extracting the card. Accordingly, the monolithic ejector mechanism of amended independent claim 1 is not obvious in view of McHugh et al., either alone or in combination with the other references. In fact, the prior art teaches away from the monolithic ejector mechanism of the present invention by consistently teaching the use of ejector mechanisms which comprise assemblies having a plurality of parts.

Thus, for at least these reasons, it is respectfully submitted that amended independent claim 1 is not obvious in view of McHugh et al., and withdrawal of the rejection of independent claim 1 under 35 U.S.C. § 103(a) is requested.

Independent claim 14 has been amended in a manner similar to that described above with respect to independent claim 1. Specifically, amended independent claim 14 claims a header connector apparatus configured to receive an electronic card. The apparatus comprises a body having first and second spaced apart side arms configured to receive the card therebetween, the

body being formed to include an opening adjacent the second arm. A button is coupled to the first arm. The button is configured to move relative to the first arm. The button is formed to include a notch portion. The apparatus further comprises a monolithic ejector mechanism having first and second opposite flanges. The first flange is located in the notch portion of the button to couple the ejector mechanism to the button. The second flange extends through the opening formed in the body adjacent the second arm. The ejector mechanism also has a pivot cam positioned between the first and second flanges, so that movement of the button causes the ejector mechanism to pivot about the pivot cam to eject the card.

As with amended independent claim 1, amended independent claim 14 specifies that the header connector apparatus includes a **monolithic ejector mechanism**. Accordingly, the remarks presented above with respect to amended independent claim 1 are equally applicable to amended independent claim 14. In addition, McHugh et al. clearly does not show, teach or suggest, either explicitly or implicitly, a monolithic ejector mechanism having first and second opposite flanges. Rather, as accurately described by the Examiner, the ejector mechanism of McHugh et al. is comprised of more than one component (that is, it is not monolithic), and the two “flanges” of the McHugh et al. ejector mechanism are on two different components of the ejector mechanism. Specifically, the first flange is on lever 62, while the second flange is on sliding plate 72. Clearly, McHugh et al. does not make obvious a monolithic ejector mechanism having first and second opposite flanges as is claimed in amended independent claim 14.

Thus, for at least these reasons, it is respectfully submitted that amended independent claim 14 is not obvious in view of McHugh et al., and withdrawal of the rejection of claim 14 under 35 U.S.C. § 103(a) is requested.

Dependent claims 2-5, 9, 12, 13, 18-21, 24, 25 and 28-29 depend either directly or indirectly from amended independent claims 1 and 14 which are allowable for the reasons discussed above. Because amended independent claims 1 and 14 are not obvious in view of McHugh et al., neither are those dependent claims which depend from amended independent claims 1 and 14. Accordingly, withdrawal of the rejection of dependent claims 2-5, 9, 12, 13, 18-21, 24, 25 and 28-29 under 35 U.S.C. § 103(a) is respectively requested.

Claims 6-8, 15-17, 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McHugh et al., as applied to claim 1, and further in view of Broschard, III, et al. (U.S. Patent No. 5,389,001). The Examiner details the deficiencies of McHugh et al., and

further elaborates how Broschard, III, et al. overcomes those deficiencies to make dependent claims 6-8, 15-17, 22 and 23 obvious in view of the combination of McHugh et al. and Broschard, III, et al.

As discussed above, neither of amended independent claims 1 and 14 is obvious in view of McHugh et al., either alone or in combination with the cited references. Dependent claims 6-8, 15-17, 22 and 23 depend, either directly or indirectly, from amended independent claims 1 and 14, which are in allowable condition for the reasons discussed above. Accordingly, dependent claims 6-8, 15-17, 22 and 23 are also in allowable condition. Therefore, withdrawal of the rejection of claims 6-8, 15-17, 22 and 23 under 35 U.S.C. § 103(a) is respectively requested.

Claims 10, 11, 26 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McHugh et al. as applied to claim 1 above, and further in view of Okubo et al. (U.S. Patent No. 5,145,389). The Examiner details the deficiencies of McHugh et al., and further elaborates how Okubo et al. overcomes those deficiencies to make claims 10, 11, 26 and 27 obvious in view of the combination of McHugh et al. and Okubo et al.

As discussed above, neither of amended independent claims 1 and 14 is obvious in view of McHugh et al., either alone or in combination with the cited references. Dependent claims 10, 11, 26 and 27 depend from amended independent claims 1 and 14, either directly or indirectly, which are allowable for the reasons discussed above. Accordingly, claims 10, 11, 26 and 27 are also in allowable condition. Therefore, withdrawal of the rejection of claims 10, 11, 26 and 27 under 35 U.S.C. § 103(a) is respectively requested.

### **CONCLUSION**

With the above amendments to the claims, amended independent claims 1 and 14, and those claims which depend therefrom, are in allowable condition and notice to that effect is respectfully requested.

The Examiner is invited to contact Applicant's representative at the below-listed telephone number to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Matthew B. McNutt at Telephone No. (512) 231-0531, Facsimile No. (512) 231-0540 or Yen Florczak at Telephone No. (512) 984-4669, Facsimile (512) 984-2020

Respectfully submitted,

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